

Presentment Date and Time: May 20, 2014 at 12:00 p.m. (ET)
Objection Deadline: May 19, 2014 at 4:00 p.m. (ET)

MORRISON & FOERSTER LLP
250 West 55th Street
New York, New York 10019
Telephone: (212) 468-8000
Facsimile: (212) 468-7900
Norman S. Rosenbaum
Erica J. Richards
James Newton

*Counsel for The Debtors and
The ResCap Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

)
)
)
)
)
)
)

Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**NOTICE OF PRESENTMENT OF STIPULATION AND ORDER PURSUANT TO
11 U.S.C. § 362(d) MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

PLEASE TAKE NOTICE that the undersigned will present the attached proposed
*Stipulation and Order Pursuant to 11 U.S.C. § 362(d) Modifying the Automatic Stay Imposed by
11 U.S.C. § 362(a)* (the “**Stipulation and Order**”), to the Honorable Martin Glenn, United
States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New
York (the “**Bankruptcy Court**”), Alexander Hamilton Custom House, One Bowling Green,
New York, New York 10004, Room 501, for signature on **May 20, 2014 at 12:00 p.m.**
(Prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Stipulation and
Order must be made in writing, conform to the Federal Rules of Bankruptcy Procedure, the

Local Bankruptcy Rules for the Southern District of New York, and the Notice, Case Management, and Administrative Procedures approved by the Bankruptcy Court [Docket No. 141], be filed electronically by registered users of the Bankruptcy Court's electronic case filing system, and be served, so as to be received no later than **May 19, 2014 at 4:00 p.m. (Prevailing Eastern Time)**, upon (a) counsel for The Debtors and The ResCap Liquidating Trust, Morrison & Foerster LLP, 250 West 55th Street, New York, NY 10019 (Attn: Norman S. Rosenbaum, Erica J. Richards, and James A. Newton); (b) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, NY 10004 (Attn: Tracy Hope Davis, Linda A. Riffkin and Brian S. Masumoto); (c) the Office of the United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530-0001 (Attn: U.S. Attorney General, Eric H. Holder, Jr.); (d) Office of the New York State Attorney General, The Capitol, Albany, NY 12224-0341 (Attn: Nancy Lord, Esq. and Enid N. Stuart, Esq.); (e) Office of the U.S. Attorney for the Southern District of New York, One St. Andrews Plaza, New York, NY 10007 (Attn: Joseph N. Cordaro, Esq.); (f) counsel for Ally Financial Inc., Kirkland & Ellis LLP, 153 East 53rd Street, New York, NY 10022 (Attn: Richard M. Cieri); (g) counsel to Barclays Bank PLC, as administrative agent for the DIP lenders, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036 (Attn: Ken Ziman & Jonathan H. Hofer); (h) counsel for the committee of unsecured creditors, Kramer Levin Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, NY 10036 (Attn: Kenneth Eckstein & Greg Horowitz); (i) counsel for Ocwen Loan Servicing, LLC, Clifford Chance US LLP, 31 West 52nd Street, New York, NY 10019 (Attn: Jennifer C. DeMarco & Adam Lesman); (j) counsel for Berkshire Hathaway, Inc., Munger, Tolles & Olson LLP, 355 South Grand Avenue, Los Angeles, CA, 90071 (Attn: Seth Goldman & Thomas B.

Walper); (k) Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346 (if by overnight mail, to 2970 Market Street, Mail Stop 5-Q30.133, Philadelphia, PA 19104-5016); (l) Securities and Exchange Commission, New York Regional Office, 3 World Financial Center, Suite 400, New York, NY 10281-1022 (Attn: George S. Canellos, Regional Director); and (m) counsel for the Requesting Parties, Shapiro, Dicaro & Barak, LLC, 105 Maxess Road, Suite N109, Melville, NY 11747 (Attn: Shari S. Barak).

PLEASE TAKE FURTHER NOTICE that, if no objections to the Stipulation and Order are timely filed, served and received in accordance with this Notice, the Court may enter the Stipulation and Order without further notice or hearing.

Dated: May 12, 2014
New York, New York

Respectfully submitted,

/s/ Norman S. Rosenbaum
Norman S. Rosenbaum
Erica J. Richards
James A. Newton
MORRISON & FOERSTER LLP
250 West 55th Street
New York, New York 10019
Telephone: (212) 468-8000
Facsimile: (212) 468-7900

*Counsel for The Debtors and
The ResCap Liquidating Trust*

NY-1104440

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
-----)	

**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

WHEREAS each of the parties listed on Exhibit 1 hereto (each a “**Requesting Party**” and collectively, the “**Requesting Parties**”) asserts that it holds a senior mortgage or security interest in the respective properties set forth on Exhibit 1 hereto (each, a “**Mortgaged Property**” and collectively the “**Mortgaged Properties**”);

WHEREAS undersigned counsel represents each of the Requesting Parties;

WHEREAS the Requesting Parties have obtained a foreclosure or other title search in connection with the pending or prospective foreclosure of each of the respective Mortgaged Properties which indicates that one of the above-captioned debtors (the “**Debtors**”) may hold a lien on the Mortgaged Property;

WHEREAS the Requesting Parties have requested (each a “**Request**,” and collectively, the “**Requests**”) that the Debtors consent to relief from the automatic stay, pursuant to section 362(d) of title 11 of the United States Code (the “**Bankruptcy Code**”), in order to permit the Requesting Parties to commence and/or complete the foreclosure of their respective interests in the Mortgaged Properties;

WHEREAS the Debtors, following a review of their records, have determined that to the best of their knowledge they never did, or no longer, hold an interest in the Mortgaged Properties, although, in some instances, an assignment of the Debtors’ mortgage has not yet been filed;

WHEREAS the Debtors and the ResCap Liquidating Trust have agreed to consent to the Requests on the terms and conditions contained in this Stipulation and Order to permit the Requesting Parties to proceed with foreclosures without violating the automatic stay;

WHEREAS the Stipulation and Order is not being submitted under the Procedures approved by the Bankruptcy Court in the *Order Pursuant to Bankruptcy Code Sections 105(a) and 362(d) for Entry of an Order Approving Procedures by Which Third Parties May Request and Obtain Stipulated Relief from the Automatic Stay to Commence or Continue Actions to Foreclose Senior Liens* [Docket No. 1824] (“**Procedures Order**”) due to the omnibus nature of the relief agreed upon;

NOW, THEREFORE, it is hereby stipulated and agreed as between the Debtors and each Requesting Party, each solely in respect of the Mortgaged Properties for which such Requesting Party seeks relief from the automatic stay, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Requests are granted as set forth herein.
2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow each of the Requesting Parties to commence and/or complete the foreclosure of the mortgage and security interest it holds on the respective Mortgaged Property, as specified on **Exhibit 1** hereto.
3. By entering into this Stipulation and Order, counsel for the Requesting Party hereby represents that it is authorized to execute this Stipulation and Order on behalf of each of the Requesting Parties.

4. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors or The ResCap Liquidating Trust, to contest in any foreclosure proceeding the validity or relative priority of the applicable Requesting Party's mortgage and security interest in the respective Mortgaged Property relative to any other lien on such Mortgaged Property.

5. Nothing in this Stipulation and Order shall be construed to provide for the annulment of or any other retroactive relief from the automatic stay.

6. Each Requesting Party shall provide due notice to all parties required by applicable law to receive notice, as well as to the Debtors and The ResCap Liquidating Trust¹, Ocwen Loan Servicing, LLC², and Green Tree Servicing LLC³, in connection with any action to be taken with respect to the respective Mortgaged Property, including, but not limited to, proceeding with a sale of such Mortgaged Property, in accordance with and to the extent the Requesting Party would be required by applicable state law to provide notice to the holder of any lien on such Mortgaged Property.

7. A Requesting Party and the Debtors may agree, in a signed writing, to a modification of this Stipulation and Order solely with respect to the application of this Stipulation and Order to such Requesting Party, and such signed writing shall not be deemed to affect in any manner the application of this Stipulation and Order to any other Requesting Party, provided, however, that except

¹ Notices should be served on the Debtors and The ResCap Liquidating Trust, at Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808 and 8400 Normandale Lake Boulevard, Bloomington, MN 55437.

² Notices should be served on Ocwen Loan Servicing, LLC, at 1100 Virginia Drive, Fort Washington, PA 19034 (Attn: Peter J. Mulcahy, Esq.).

³ Notices should be served on Green Tree Servicing LLC via email at: Foreclosure_Team@gt-cs.com or via mail addressed to: Green Tree Servicing LLC, Mailstop: R214, 1400 Turbine Drive, Rapid City, SD 57703.

as specifically set forth in this paragraph, this Stipulation and Order may not be modified other than by further order of the Court.

8. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

9. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Each Requesting Party is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

10. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.

<p>GMAC MORTGAGE, LLC</p> <p>By: <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards James A. Newton MORRISON & FOERSTER LLP 250 West 55th Street New York, New York 10019 Telephone: (212) 468-8000 Facsimile: (212) 468-7900</p> <p><i>Counsel for the Debtors and The ResCap Liquidating Trust</i></p>	<p>EACH OF THE REQUESTING PARTIES SET FORTH ON <u>EXHIBIT 1</u>, HERETO, EACH SOLELY IN RESPECT OF THE MORTGAGED PROPERTY FOR WHICH IT SEEKS RELIEF FROM THE AUTOMATIC STAY</p> <p>By: <u>/s/ Shari S. Barak</u> Shari S. Barak SHAPIRO, DICARO & BARAK, LLC 105 Maxess Road, Suite N109 Melville, New York 11747 Telephone: (631) 844-9611 Facsimile: (631) 844-9525</p> <p><i>Counsel for the Requesting Parties</i></p>
---	--

APPROVED AND SO ORDERED

This ____ day of May, 2014, in New York, NY

HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

	REQUESTING PARTY	LIENHOLDER	BORROWER NAME(S)	ADDRESS
1	SELECT PORTFOLIO SERVICING, INC.	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2005--WL2, ASSET-BACKED CERTIFICATES, SERIES 2005-WL2	ASKEW, LOTONIA; ASKEW, TERRIE	6770 LAKE POINT CIRCLE, MEMPHIS, TN 38141
2	SELECT PORTFOLIO SERVICING INC.	HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE ON BEHALF OF THE CERTIFICATE HOLDERS OF DEUTSCHE ALT-A SECURITIES MORTGAGE LOAN TRUST, SERIES 2007-BAR1, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BAR1	BRIDGES, MARK	6718 CHERRY BEND, CANAL WINCHESTER, OH 43110
3	EVERHOME	EVERBANK	CANNAN, THOMAS	4017 E. 115TH STREET, KANSAS CITY, MO, 64137
4	ONE WEST BANK, FSB	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR27, MORTGAGE PASS- THROUGH CERTIFICATES, SERIES 2006- AR27 UNDER THE POOLING AND SERVICING AGREEMENT DATED AUGUST 1, 2006	CASSIDY, PATRICK	1211 KATIE AVE. (A&B), NASHVILLE, TN 37207
5	ONE WEST BANK, FSB	CITIBANK, NA, AS TRUSTEE FOR THE LXS 2006-13 TRUST FUND	COLEMAN, JOHN H.	2805 ABERDEN DRIVE, FLOWER MOUND, TX 75022
6	ONE WEST BANK, FSB	ONE WEST BANK, FSB	CRAWFORD, TAMARA	8241 HARBORVIEW ROAD, BLAINE, WA 98230
7	ONE WEST BANK, FSB	ONE WEST BANK, FSB	DAWSON, MICHAEL; HUNT, ANDREA	7781 ANTLER TRAIL, IMLAY CITY, MI 48444
8	ONE WEST BANK, FSB	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE INDYMAC INDX MORTGAGE LOAN TRUST 2005- AR7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-AR7 UNDER THE POOLING AND SERVICING	ENG, TOMMY; CHOW, MAGGIE	112 CORTE STREET, SAN PABLO, CA 94806

	REQUESTING PARTY	LIENHOLDER	BORROWER NAME(S)	ADDRESS
		AGREEMENT DATED APRIL 1, 2005		
9	ONE WEST BANK, FSB	ONE WEST BANK, FSB	GARCIA, CESAR; GARCIA ILLIANA	17331 LOBO TRAIL, HOUSTON, TX 77084
10	ONE WEST BANK, FSB	ONE WEST BANK, FSB	GARCIA, MAGDALENA	1924 W 41ST PLACE, LOS ANGELES, CA 90062
11	ONE WEST BANK, FSB	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE INDYMAC IMSC MORTGAGE LOAN TRUST 2007-AR2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-AR2 UNDER THE POOLING AND SERVICING AGREEMENT DATED JULY 1, 2007	GUERIN, GREG; GUERIN KIMBERLY	2000 RUSHING CREEK DR, HEARTLAND, TX 75126
12	ONEWEST BANK, FSB	ONEWEST BANK, FSB	HOARD, WILLIAM; SMITH-HOARD, MONICA	9998 WHITE PINE CT., SPRINGFIELD TOWNSHIP, MI 48348
13	RBS CITIZENS, NA	RBS CITIZENS, NA	HUNT, FRANCIS; HUNT, STACEY	1079 SOUTH WILLIAMS LAKE, MI 48327
14	ONEWEST BANK, FSB	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE RESIDENTIAL ASSET SECURITIZATION TRUST 2006-A16, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-P UNDER THE POOLING AND SERVICING AGREEMENT DATED DECEMBER 1, 2006	KALOHELANI, KEITH S.; KALOHELANI JAN H.	518 AL HARVEY ROAD, STONINGTON, CT 06378
15	CREDITUS LENDING	CREDITUS LENDING	KLING, JEAN	4768 WALKDEN CIRCLE, #23, ORLANDO, FL 32811
16	PHH MORTGAGE CORPORATION	PHH MORTGAGE CORPORATION	KUSHNER, MICHAEL; KUSHNER, LISA	439 LONGFELLOW DRIVE, WILLIAMSTOWN, NJ 08094
17	ONEWEST BANK, FSB	ONEWEST BANK, FSB	LANGFORD, CAROL; LANGFORD, EDWARD	46 BERMUDA LAKE DRIVE, PLAM BEACH GARDENS, FL, 33418
18	SELECT PORTFOLIO SERVICING, INC.	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2005-1, ASSET-BACKED CERTIFICATES, SERIES 2005-1	LOPEZ, IGNACIO; LOPEZ, GLORIA	504 AUTUMN TAIL, GEORGETOWN, TX 78626
19	ONEWEST BANK, FSB	ONEWEST BANK, FSB	LOWELL, RANDALL V.; LOWELL, REBECCA	10002 NE 202ND STREET, BOTHELL, WA 98011
20	JPMORGAN CHASE BANK, N.A.	JPMORGAN CHASE BANK, NATIONAL ASSOCIATION	MALERBA, BENJAMIN P., II; MALERBA, PAULA	3 LONGVIEW AVE, ROCKY POINT, NY 11778
21	ONEWEST BANK,	DEUTSCHE BANK	MARTINEZ, REFUGIO J.	5701 64TH STREET,

	REQUESTING PARTY	LIENHOLDER	BORROWER NAME(S)	ADDRESS
	FSB	NATIONAL TRUST COMPANY AS TRUSTEE FOR ALLIANCE BANCORP TRUST 2007-OAI		SACRAMENTO, CA 95824
22	SELECT PORTFOLIO SERVICING, INC.	WILMINGTON TRUST, NA, SUCCESSOR TRUSTEE TO CITIBANK, N.A., AS TRUSTEE, FOR THE BENEFIT OF REGISTERED HOLDERS OF STRUCTURED ASSET MORTGAGE INVESTMENTS II TRUST 2007-AR3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-AR3	MARTINEZ, WILLIAM	741 NE 7TH STREET, FORT LAUDERDALE, FLORIDA 33334
23	WELLS FARGO BANK, N.A	WELLS FARGO BANK, N.A	O'NEIL, ROBYN	431 COMMANCHE TRAIL, WHEELING, IL 60090
24	ONEWEST BANK, FSB	ONEWEST BANK, FSB	PHOMMAVONGSAY, CHAMPATHONG; CORTEZ, RONALD D.	9536 COUNTRY HOLLOW DRIVE, PUYALLUP, WA 98375
25	WELLS FARGO BANK, NA	WELLS FARGO BANK, NA	PORTER, SANDRA; PORTER, ERNEST J., III	5120 LOG CABIN DRIVE, LAKELAND, FL 33810
26	ONEWEST BANK, FSB	ONEWEST BANK, FSB	RAMIREZ, GUSTAVO	6170 WEST MILL VALLEY LANE, WEST VALLEY CITY, UT 84118
27	SELECT PORTFOLIO SERVICING, INC.	U.S. BANK N.A., AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-CH2 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-CH2	RAY, NANCIE	6534 SAYLERS CREEK, TALLAHASSEE, FL 32309
28	ONEWEST BANK, FSB	ONEWEST BANK, FSB	RIOS, MANUEL; RIOS, BERTA	15838 MOSSY SHORES COURT, HOUSTON, TX 77044
29	RESIDENTIAL CREDIT SOLUTIONS	RESIDENTIAL CREDIT SOLUTIONS, INC.	SAPPINGTON, PHILIP; SAPPINGTON, CASSANDRA	2020 J L MASSEY ROAD, LAKE WALES, FL 33898
30	SELECT PORTFOLIO SERVING	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2005-2, ASSET-BACKED CERTIFICATES, SERIES 2005-2	SEMAAN, RAWAD	6407 ELLA LEE LANE, HOUSTON, TX 77057
31	ONEWEST BANK, FSB	ONEWEST BANK, FSB	SOTNIK, THOMAS	18634 INKSTER ROAD, REDFORD TOWNSHIP, MI 48240
32	ONEWEST BANK,	ONEWEST BANK, FSB	TANK, BRIAN; TANK TARA	5985 CAPAC ROAD,

	REQUESTING PARTY	LIENHOLDER	BORROWER NAME(S)	ADDRESS
	FSB			TOWNSHIP OF MUSSEY, MI 48014
33	ONEWEST BANK, FSB	ONEWEST BANK, FSB	THOMAS, PAULA	11241 DALE CT., STERLING HEIGHTS, MI 48313
34	ONEWEST BANK, FSB	ONEWEST BANK, FSB	VALENTINO, SCOTT; VALENTINO, JULIE	53240 REBECCA DRIVE, MACOMB TOWNSHIP, MI 48042
35	ONEWEST BANK, FSB	U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE LXS 2007-4N	VERMILLION, ROBERT; VERMILLION, AMY	1305 WILLOWSTONE COURT, SAN JACINTO, CA 92582
36	SELECT PORTFOLIO SERVICING, INC.	DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE, IN TRUST FOR REGISTERED HOLDERS OF LONG BEACH MORTGAGE LOAN TRUST 2005-2, ASSET-BACKED CERTIFICATES, SERIES 2005-2	WALSH, FRANCES; WALSH, MARK	640 SUMMIT STREET, VANDERBILT, MI 49795
37	PNC MORTGAGE,	PNC BANK, NATIONAL ASSOCIATION	WANG, LEI	16604 232ND STREET SOUTHEAST, MONROE, WA 98272
38	ONEWEST BANK, FSB	ONEWEST BANK, FSB	WOZNICKI, ELLEN	30921 LEE FRANK LANE, MADISON HEIGHTS, MI 48071
39	ONEWEST BANK, FSB	ONEWEST BANK, FSB	XIONG, KOU; XIONG, KHOUA	2152 JONE CT, WATERFORD, MI 48327

NY-1108283